



State of Ohio Environmental Protection Agency

## Northwest District Office

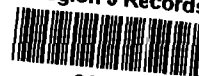
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EPA Region 5 Records Ctr.



249279

George V. Voinovich  
Governor

Re: Toledo Plate & Window Glass  
Hazardous Waste  
Lucas County  
OHD 005035670

April 7, 1992

Mr. Paul V. Bach  
Fifth-Third Bank  
606 Madison Avenue  
Toledo, Ohio 43604

Dear Mr. Bach:

An inspection of the former Toledo Plate & Window Glass was conducted on February 19, 1992, by the Ohio Environmental Protection Agency, to assess abandoned drums containing unknown waste. Toledo Plate and Window Glass notified of hazardous waste activity on September 17, 1986, and was given a hazardous waste I.D. number OHD 005035670. The listed waste that the facility had on the notification form was F006. During the inspection, the Ohio EPA was represented by the writer, Eric Getz, Mike Terpinski, and Joy Hargis. Mr. Rick Piester, the previous maintenance manager of the facility, was present to give a tour of the building. A representative from Fifth-Third Bank was also present to open the building.

According to Cynthia Tessner, attorney for Fifth-Third, the facility has been under Chapter 7 of Bankruptcy starting in May 1991, and the equipment used at the facility has been removed. The facility has been out of operation at least since May of 1991. Fifth-Third Bank has since foreclosed on the property and currently holds the mortgage to the facility. At the end of December 1991, the Toledo Hazardous Materials Team responded to the facility to investigate. At that time, a semi trailer with leaking 55 gallon drums was discovered, along with hazardous materials inside the facility. On January 30, 1992, Mike Gerber, with the Ohio EPA Division of Emergency Response, responded to investigate the facility. No spilled material was detected around any of the drums at that time.

During the investigation on February 19, a preliminary assessment of the basement was done first, of which 116 total containers were inventoried. Of these 116, there were seventy-five 55 gallon drums, three 30 gallon drums, and thirty-eight 5 gallon buckets. Next, the main floor of the building was toured and a total of 83 containers of various sizes were inventoried. Of these containers, there were fifty-three 55 gallon drums, one 20 gallon drum, sixteen 5 gallon buckets, eleven 1/2-1 gallon bottles, and two small 1/2 gallon cans. A semi-trailer which was

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stored in the facility parking lot contained thirty-three 55 gallon drums and three 5 gallon containers. The trailer did not appear to be leaking at the time. Altogether, there were 235 containers on the site. There were also a few areas in the facility that had spills of unknown material.

The facility was found to be in violation of the following hazardous waste rule:

Waste Evaluation, OAC rule 3745-52-11 Any person who generates a waste in the state of Ohio must determine if the waste is hazardous.

Toledo Plate and Window Glass failed to evaluate wastes generated to determine if they are hazardous wastes. As indicated, approximately 235 containers of this waste has remained on-site since the facility's shut-down of production processes in May of 1991.

To demonstrate abatement of the above violation, please provide this office with documentation confirming that all wastes currently on-site have been adequately evaluated. This documentation must include an evaluation of the contents of each of the 235 containers identified during Ohio EPA's inspection along with any additional waste on-site. Documentation must include supporting analytical data for any sampling conducted and the identification of each EPA waste code that is applicable to each container of waste.

Please note that Toledo Plate and Window Glass must not ship wastes off-site for treatment, storage and/or disposal until an adequate evaluation of the wastes has been conducted in accordance with the above requirement. In addition, the Ohio EPA requests receipt and review of the above documentation prior to off-site shipment. Once adequately evaluated, all hazardous wastes must be sent off-site to a permitted hazardous waste facility for appropriate disposal.

Please be advised that failure to comply with applicable hazardous waste rules may be cause for enforcement action by this Agency pursuant to Chapter 3734 of the Ohio Revised Code.

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Please respond in writing to this Notice of Violation (NOV) within ten (10) days. Your response must include all actions and timetables necessary to demonstrate compliance.

Failure to list specific deficiencies in this communication does not relieve you from the responsibility of complying with all applicable regulations.

Thank you for your anticipated cooperation. If you have any questions, please advise.

Sincerely,

*Colleen M. Weaver*

Colleen M. Weaver  
Division of Hazardous Waste Management

/rab

cc: Laurie Stevenson, DHWM, CO  
Cindy Lohrbach, DHWM, NWDO  
Craig Kleinhenz, SIS  
Mike Gerber, DERR, NWDO  
Lt. Bruce Cook, Toledo Fire Dept.  
Capt. Dave Fought, Toledo Fire Dept.  
Richard Bauer

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